



REGISTER OF DELEGATED AUTHORITY

Document Approval			
Document Development Officer:		Document Owner:	
Governance Officer		Governance Officer	
Document Control			
File Number - Document Type:			
Synergy Reference Number:			
Meta Data: Key Search Terms		Register of Delegated Authority	
Status of Document:		Council Decision: Approved.	
Document file details:		Location of Document: M: /Shire Council/Delegation Register	
Quality Assurance:		Governance Officer	
Distribution :		Public Document	
Document Revision History			
Version	Author	Version Description	Date Completed
1.0	GO & CEO	Approved by CEO	05/06/2018
1.1	COUNCIL	Adopted by Council	20/06/2018
1.3			

Table of Contents

The Purpose of Delegating Authority.....	4
Council's Understanding.....	4
Legislation.....	4
Associated Legislation.....	4
Delegation by the Chief Executive Officer.....	4
Part 1.....	5
Delegations to the Chief Executive Officer.....	5
CD01 Payments from Municipal or Trust Fund.....	6
CD02 Debts, Waiver, Concessions or Write Off.....	8
CD03 Rates.....	9
CD04 Expressions of Interest, Tenders and Tender Exempt Procurement.....	10
CD05 Disposal of Land (Including Buildings) Via Lease or Licence.....	12
CD06 Authorised Persons for the Purposes of the Local Government Act 1995.....	13
CD07 Reserves under Control of the Local Government.....	14
CD08 Thoroughfares.....	15
CD09 Closing of Thoroughfares.....	16
CD10 Powers of Entry.....	17
CD11 Remove, Impound and Dispose of Property.....	18
CD12 Building Act 2011.....	20
CD13 Delegations under the Bush Fire Act 1954.....	22
CD14 Powers and Duties under Local Planning Scheme No. 3.....	24
CD15 Authorised Persons- Public Health Act 2016.....	25
CD16 Food Act 2008.....	26
CD17 Caravan Parks and Camping Grounds Act 1995.....	28
CD18 Dog Act 1976.....	29
CD19 Cat Act 2011.....	30
CD20 Road Traffic Code 2000.....	31
CD21 Road Traffic (Vehicles) Act 2012.....	33
Part 2.....	34
Delegations from the Chief Executive Officer.....	34

The Purpose of Delegating Authority

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation. This is consistent with the Shire of Mingenew's (the Shire) commitment to a strong customer service focus. The register details the related document(s) where the power to delegate is derived from. This enables easier cross-referencing. This delegated authority register will be reviewed in accordance with the Local Government Act 1995 (the Act) on an annual basis.

Council's Understanding

It is the understanding of council that by delegating its authority it is granting sufficient power to enable the Shire's responsibilities to be fulfilled in a timely, open and accountable manner.

It is the expectation of council that the Chief Executive Officer and other officers will use the delegated authority conferred on them in a manner that aligns with council's values and objectives and they will demonstrate appropriate judgment and accountability in regard to the circumstances and extent of the use of that power.

Legislation

The Local Government Act 1995 allows for a local government to delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the Act except those listed in section 5.43. All delegations made by the council must be by absolute majority decision [s5.42 (1)].

Associated Legislation

Legislation other than the Local Government Act 1995, its regulations and the local government's local laws created under the Act where delegations or authorisations may occur are as follows:-

Building Act 2011	Road Traffic Act 1974
Public Health Act 2016	Road Traffic (Vehicles) Act 2012
Caravan Parks and Camping Grounds Act 1955	
Bush Fires Act 1954	
Planning and Development Act 2005	
Shire of Mingenew Local Planning Scheme No. 3	
Food Act 2008	
Dog Act 1976	
Cat Act 2011	

Delegation by the Chief Executive Officer

The Act allows for the CEO to delegate any of the powers to another employee [s5.44 (1)]. This must be done in writing [s5.44 (2)]. The Act allows for the CEO to place conditions on any delegations [s 5.44 (4)].

A register of delegations relevant to the CEO and other employees is to be kept and reviewed at least once every financial year [s.5.46(1) and (2)]. If a person is exercising a power or duty that they have been delegated, the Act requires that records be kept whenever the delegated authority is used [s 5.46 (3)].

The record is to contain the following information:

- how the person exercised the power or discharged the duty;
- when the person exercised the power or discharged the duty; and
- the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty {Local Government (Administration) Regulations 1996 Regulation 19.

A person to whom a power is delegated under the Act is considered to be a 'designated employee' under s5.74(b) of the Act and is required to complete a primary and annual return each year.

PART 1
Delegations to the Chief Executive Officer

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Payments from Municipal or Trust Fund		
Authorisation No.:	CD01		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government (Financial Management) Regulations 1996</i> Regulation 12(1)(a) Payments from municipal fund or trust fund, restrictions on making.
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 1. Incur liabilities and make payments from the municipal fund [r12(1)(a)]

Conditions.

1. Authority is subject to the Local Government Act 1995 and it's associated Regulations.
2. The purchase of freehold land and real estate are to be by Council Resolution.
3. Incurring expenses prior to the adoption of the annual budget is to be limited to capital and operating expenditure that is of routine nature and/or was a budgeted expense in the previous financial year.
4. Verification of a payment and authorization of the same payment cannot be undertaken by the same person.
5. Subject to the following expenditure requirements:

Purchasing Threshold	Quotation Requirement
Up to \$4'999	No quotations are required if the expenditure is approved in the Budget.
\$5'000-\$9'999	Obtain at least one verbal or written quotation from suppliers.
\$10'000-\$39'999	Obtain at least two written quotations
\$40'000-\$149'000	Obtain at least three written quotations
\$150'000	Via tender or tender-exempt process. To be referred to Council for decision.

6. Incurring expenses and applying money to be undertaken in accordance with the Shire's procedures and systems for Purchasing, Legal Representation and Elected Members Entitlements.
7. Procedures are to be administratively reviewed by the CEO for continuing compliance and confirmed as 'fit for purpose' in accordance with [r5(2)(c)] and [r5(1)] of the Local Government (Financial Management) Regulations 1996.
8. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.	1.3.1 Purchasing 1.2.2 Legal Representation 1.1.1 Elected Members Entitlements	Policy No.	1.3.1 Purchasing 1.2.2 Legal Representation 1.1.1 Elected Members Entitlements
---------------	--	------------	--

Compliance Links:	<u>Local Government Act 1995</u> Section 9.56- Certain persons protected from liability for wrongdoing <u>Local Government (Financial Management) Regulations 1996</u> Regulation 13- Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
----------------------	---

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Debts, Waiver, Concessions, Write Off and Recovery		
Authorisation No.:	CD02		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 6.12(1)(b) and (c) and (3) - Power to defer, grant discounts, waive or write off debts. Section 6.56- Rate or service charges recoverable in court
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Waive a debt which is owed to the Shire of Mingenew [s6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Shire of Mingenew [s6.12(3)]. 3. Write off an amount of money which is owed to the Shire of Mingenew [s6.12(1)(c)] 4. Recover debts

Conditions.

1. The power to waive or write off debt and grant a concession does not apply to debts which are prescribed as debts, that are taken to be a rate or service charge.
2. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Mingenew.
3. Limited to individual debts valued below \$100 or cumulative debts of a debtor valued below \$100. Write off of debts greater than these values must be referred for Council decision.
4. Limited to individual debt concessions of \$100.
5. Debt recovery is to be in accordance with the Shire's Internal Debt Recovery Policy and Procedures and subject to the provisions of the Local Government Act 1995.
6. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.	2.3.2 Debt Collection	Policy No.	2.3.2 Debt Collection
----------------------	-----------------------	-------------------	-----------------------

Compliance Links:	<u>Local Government Act 1995</u> Section 6.12 - Power to defer, grant discounts, waive or write off debts <u>Local Government (Financial Management) Regulations 1996</u> Regulation 26 - Discount, incentive, concession, waiver
--------------------------	--

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Rates		
Authorisation No.:	CD03		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<p><i>Local Government Act 1995</i></p> <p>Section 5.42 - Delegation of some powers or duties to the CEO</p> <p>Section 5.43- Limitations on delegations to the CEO</p>
Statutory Power delegated:	<p><i>Local Government Act 1995</i></p> <p>Section 6.41- Service of rate notice</p> <p>Section 6.49- Agreement as to payment of rates and service charges</p> <p>Section 6.56- Rate or service charges recoverable in court</p> <p>Section 6.60- Local Government may require lessee to pay rent</p> <p>Section 6.76- Grounds of objection</p>
<p>Function Delegated:</p> <p>This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].</p>	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Issue a rate notice [s6.41] 2. Make an agreement with a person for the payment of rates or service charges [s6.49]. 3. Give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Mingenew [s6.60]. 4. Recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s6.60]. 5. Extend the time for a person to make an objection to a rate record [s6.76]. 6. Consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s6.76].
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. Agreements relating to s6.49 must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied, otherwise to be referred to Council for it's decision. 2. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must not be party to any determination under this delegation. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
---------------	--	------------	--

Compliance Links:	<u>Local Government Act 1995</u>
-------------------	----------------------------------

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Expressions of Interest, Tenders and Tender Exempt Procurement		
Authorisation No.:	CD04		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<p><i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO</p>
Statutory Power delegated:	<p><i>Local Government Act 1995</i> Section 3.57(1) - Tenders for providing goods or services <i>Local Government (Functions & General) Regulations 1996</i> Regulations 11- When tenders have to be publicly invited Regulations 13- Requirements when local government invites tenders though not required to do so. Regulation 14 - Publicly inviting tenders Regulation 18- Rejecting and accepting tenders (<i>note- is not delegation to award a tender</i>) Regulation 20 - Variation of requirements before entry into contract Regulation 21A – Varying a Contract Regulation 21(1) - Limiting who can tender Regulation 23(3) - Rejecting and accepting expressions of interest to be an acceptable tenderer</p>
<p>Function Delegated:</p> <p>This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].</p>	<ol style="list-style-type: none"> 1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r23]. 3. Authority to call tenders [F&G r11(1)]. 4. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r11(f)]. 5. Authority to undertake tender exempt procurement [F&G.r11(2)]. 6. Authority to invite tenders although not required to do so [F&G r13]. 7. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r14(2a)]. 8. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r14(4)(a)]. 9. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)]. 10. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r18(4)]. 11. Authority to accept, or reject tenders [in regards to submission of tenders] [r18(2)] 12. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender and to then enter into minor variations with the successful tenderer <u>before</u> entering into a contract [F&G r20(1) and (3)]. 13. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r18(4a)]. 14. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&G

	<p>r20(2)]</p> <p>15. Authority to:</p> <p>i. Vary a contract that has been entered into with a successful tenderer, provided the variation does not change the scope of the original contract</p> <p>ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r11(2)(j). [F&G r21A].</p> <p>16. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r18(6) & (7)].</p>
--	---

Conditions:

1. May only call tenders where there is an adopted budget for the proposed procurement, with the exception being in the period immediately prior to the adoption of a new annual budget where the proposed procurement is required to fulfil a routine contract related to the day to day operations of the Shire, with an imminent expiry date and the value of the proposed contract has been included in the draft annual budget papers.
2. This delegation is subject to Part 4 Division 2 of the Local Government (Functions & General) Regulations 1996
3. This delegation is to be carried out in accordance with the Shire of Mingenew Internal Purchasing Procedures.
4. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.	1.3.1	Policy No.	1.3.1
---------------	-------	------------	-------

Compliance Links:	<u>Local Government (Functions and General) Regulations 1996</u>
-------------------	--

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Disposal of Land (Including Buildings) Via Lease or Licence		
Authorisation No.:	CD05		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.58(2) and (3) - Disposing of property
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Enter into new leases; 2. Terminate existing leases; 3. Extend leases; and 4. Vary existing lease terms for property that the Shire owns or that it controls under a management order which confers the power to lease or licence.
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. Disposal of land and/or property other than by lease or licence requires a Council resolution. 2. All <i>new</i> leases for commercial organisations require a Council resolution [excludes renewal]. 3. Renewals of commercial organisations leases are limited to a maximum term of five years. 4. Subject to the requirements of section 3.58 of the Local Government Act 1995. 5. In the event an objecting submission is received this delegation does not apply and the proposal is to be presented to Council for consideration. 6. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
---------------	--	------------	--

Notes:	
--------	--

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Authorised Persons for the Purposes of the Local Government Act 1995		
Authorisation No.:	CD06		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995.</i> Section 3.24- Authorising persons under this subdivision (Part 3, Division 3, Subdivision 2- Certain provisions about land) Section 3.39- Power to remove and impound Section 9.10 – Appointment of authorised persons
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Appoint persons or classes of persons as authorised persons for the purpose of fulfilling Part 3 Division 3 Subdivision 2 of the Local Government Act 1995 [s3.24]; 2. Undertake the powers of an 'authorised person' as prescribed in s3.24, s3.39 and s9.10 of the Local Government Act 1995; 3. Authorise an employee in accordance with Section 3.39 to remove and impound any goods that are involved in a contravention that can lead to impounding; 4. Appoint persons or classes of persons to be authorised to perform certain functions under Part 9 Division 2 and issue them with a certificate stating they are authorised [s9.10]. 5. Appoint and authorise persons to exercise the powers and duties of an authorised person under the Shire's local laws [s9.10].
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. A register of Authorised Persons is to be maintained as a Local Government Record. 2. Only persons who are appropriately qualified and trained may be appointed as Authorised persons. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
---------------	--	------------	--

Notes:	<u>Local Government Act and its Regulations</u> <u>Local Government (Miscellaneous Provisions) Act 1960</u> <u>Local Laws made under the Local Government Act. [s.3.24 and s.9.10].</u>
--------	---

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Reserves under Control of Local Government		
Authorisation No.:	CD07		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO		
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.54 Reserves under control of a local government		
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 1. Authority to do anything for the purposes of controlling and management land that is vest in or under the management of the Shire [s.3.54(1)].		
<u>Conditions.</u> 1. Subject to the local law's of the Shire. 2. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.			

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
Notes:			

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Thoroughfares		
Authorisation No.:	CD08		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government (Uniform Provisions) Regulations 1996</i> Regulation 6(4)- Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a) Regulation 9(2) and r9(4). Permission to have gate across public thoroughfare — Sch. 9.1 cl. 5(1) Regulation 11(1) and r11(6)- Dangerous excavation in or near public thoroughfare — Sch. 9.1 cl. 6 Regulation 12(1)- 12. Crossing from public thoroughfare to private land or private thoroughfare — Sch. 9.1 cl. 7(2) Regulation 13(1)- Requirement to construct or repair crossing — Sch. 9.1 cl. 7(3) Regulation 17(5)- Private works on, over, or under public places — Sch. 9.1 cl. 8
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<ol style="list-style-type: none"> 1. Grant permission to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare [r6.4] 2. Grant permission including, but not limited to, conditions on the construction, placement and maintenance of the gate or other device across the public thoroughfare [r9(4)]. 3. Grant permission to make or make and leave an excavation of specified dimensions and in a specified way in a specified part of a public thoroughfare or on a specified part of land adjoining a public thoroughfare [r11(4)]. 4. Approve the construction of a crossing giving access from a public thoroughfare to private land or thoroughfare [r12(1)] 5. Issue a notice to the owner or occupier of private land to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare [r13]. 6. Grant Permission for private works on, over, or under public places [r17(5)].

Conditions.

1. Subject to the Local Government Act 1995 and its Regulations.
2. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
----------------------	--	-------------------	--

Compliance Links:	
--------------------------	--

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Closing of Thoroughfares		
Authorisation No.:	CD09		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.44. CEO may delegate powers and duties to other employees
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.50 - Closing certain thoroughfares to vehicles Section 3.50A - Partial closure of thoroughfares for repairs or maintenance Section 3.50(4) - Give local public notice Section 3.51 - Affected owners to be notified of certain proposals (fixing or altering of levels or alignment, or draining water) <i>Road Traffic Act 1974</i> Section 81C(2)(b)- Order for road closure for event, making <i>Road Traffic (Events on Roads) Regulations 1991</i> Regulation 4- Approvals Regulation 9(3)- Erection of barriers, signs and other equipment
Function Delegated:	Authority to: <ol style="list-style-type: none"> 1. Close a thoroughfare managed by the Shire (wholly or partially) for a period of less than four weeks [s3.50(1)]; 2. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles [s3.50(1), (1a) and (2)]. 3. Approve an application for an order for a road closure [for an event] [r4] 4. Waive the payment of all or any of the costs referred to in subregulation (2) [r9(3)].
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. Subject to the provisions of Section 3.50 of the Local Government Act 1995. 2. All submissions relating to the closure of roads for <i>an event</i> must not be approved unless presented in the format of Form 1 in Schedule 1 of the <i>Road Traffic (Events on Roads) Regulations 1991</i>. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No:	
---------------	--	------------	--

Notes:	Road Traffic Act 1974 s81C. Order for road closure for event, making s81D. Road closure, how effected by local government
--------	---

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Powers of Entry		
Authorisation No.:	CD10		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.31- General procedure for entering property Section 3.32 - Notice of Entry Section 3.33 - Entry under Warrant Section 3.34 - Entry in an Emergency Section 3.36 - Opening Fences
Function Delegated:	Authority to: 1. Give a notice of entry [s3.32] 2. Execute entry in an emergency. [s3.34] 3. Give notice and effect entry by opening a fence onto private land. [s.3.36]

Conditions.

1. Section 3.36 is limited to those activities that expressly state such authority under Schedule 3.2 of the Local Government Act 1995.
2. Entry under this delegation may be made with such assistants and equipment as are considered necessary for the purpose for which entry is required in accordance with s3.30 of the Local Government Act 1995.
3. Delegation is subject to the provisions in Part 3 Division 3 Subdivision 3 of the Local Government Act 1995
4. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
---------------	--	------------	--

Notes:	<u>Local Government Act and its Regulations</u> <u>Local Government (Miscellaneous Provisions) Act 1960</u> <u>Local Laws made under the Local Government Act. [s.3.24 and s.9.10].</u>
--------	---

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Remove, Impound and Dispose of Property		
Authorisation No.:	CD011		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO Section 5.43 - Limitations on delegations to the CEO
Statutory Power delegated:	<i>Local Government Act 1995</i> Section 3.40A- Abandoned vehicle wreck may be taken Section 3.42(1)- Impounded non-perishable goods Section 3.44- Notice to collect goods if not confiscated Section 3.46- Goods may be within until costs paid Section 3.47- Confiscated or uncollected goods, disposal of Section 3.47A- Sick or injured animals, disposal of Section 3.48- Impounding expenses, recovery of Section 3.58- Disposing of property
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: 6. Authorise an abandoned wreck to be impounded [s3.40A]. 7. Give notice in accordance with s3.42 and s3.44 to collect goods 8. Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46; 9. Dispose of goods in accordance with the Local Government Act 1995 [s3.47] 10. Recover costs associated with impounding expenses [s3.48] 11. Destroy and dispose of an animal that is determined to be too sick or injured to treat [s3.47A]. 12. Dispose of surplus plant, equipment and material [3.58].

Conditions.

1. Subject to Section 3.58 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General) Regulations
2. All goods, plant and equipment with a market value of less than \$20'000, in accordance with r30(3) of Local Government (Functions and General) Regulations 1996, must be:
 - I. Advertised for sale in a local newspaper; or
 - II. Donated to suitable not for profit community groups or schools.
 - III. Sold by public auction
 - IV. Offered for sale by public tender [r30]
3. Notwithstanding *CD04 Expressions of Interest, Tenders and Tender Exempt Procurement*, the CEO is authorised to call and except tenders to accommodate the disposal of goods under this delegation provided the total estimated value is below \$20'000.
4. In the absence of any sale being made, the CEO may dispose of any surplus goods, plant and equipment in any manner thought suitably appropriate/ accountable by the CEO [r30(2a) of Local Government (Functions and General) Regulations 1996].
5. This delegation does not apply to the disposal of plant or light vehicles or equipment that is being replaced by a tender process involving trade-in.
6. Subject to Part 3, Division 3 Subdivision 4 of the Local Government Act 1995.
7. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
---------------	--	------------	--

Notes:	<p><u>Local Government (Functions & General) Regulations 1996</u> r30(3) states: (3) A disposition of property other than land is an exempt disposition if: (a) its market value is less than \$20,000; or (b) it is disposed of as part of the consideration for other property that the local government is acquiring for a consideration the total value of which is not more, or worth more, than \$75000.</p>
--------	--

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Building Act 2011		
Authorisation No.:	CD12		
Authorisation from:	Council	Authorised to:	Chief Executive Officer City of Geraldton Building Officers acting for the Shire of Mingenew
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Building Act 2011</i> Section 127 - Delegation: special permit authorities and local governments
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<i>Building Act 2011</i> Section 18- Further information Section 20- Grant of building permit Section 21- Grant of demolition permit Section 22 – Refusal of Permits Section 24- Notice of decision not to grant building or demolition permit Section 27(1)(3)- Conditions imposed by permit authority Section 55- Further Information Section 58(1)(2)(3) Grant of occupancy permit, building approval certificate Section 62(1), (3), (4) and (5) - Conditions imposed by permit authority Section 65(4) - Extension of period of duration Section 93 (2)(d)- Changing building standards, requirements, as to existing buildings Section 96(3), (5) and (6)- Authorised persons Section 99(3)- Limitation on powers of authorised persons Section 110 – Issue Building Orders Section 111- Notice of proposed building order other than building order (emergency) Section 117 – Revoke Building Orders Section 145A- Local government functions <i>Building Regulations 2012</i> Regulation 23 - Application to extend time during which the permit has effect (s32) Regulation 24 - Extension of time during which permit has effect (s32) Regulation 26 - Approval of new responsible person (35) Regulation 40 - Extension of period of duration of time limited occupancy permit or building approval certificate (s65) Regulation 53 - Inspection of barrier to private swimming pool Regulation 55 – Terms used (alternative building solution approval) Regulation 61 – Local Government approval of battery powered smoke alarms.
Function Delegated:	1. Appoint authorised persons: I. To administer the Building Act 2011 (the Building Act) and sign the certificate of appointment. II. Conduct duties as an authorised person pursuant to s96 of the Building Act: 2. Serve Notices: I. To stop unlawful work in accordance with s191 of the Building Act; II. Where a building is deemed to be in a dangerous state, cause it to be shored up or otherwise secured and a proper hoarding or fence to be put up for the protection of the public from danger, and shall cause written notice to be served on the owner or occupier, under s192 of the Building Act; III. On the owner or occupier of a neglected and/or dangerous building, to compel removal in accordance with the Building Act, [s192 & s193] IV. On the owner or occupier of a dilapidated building, to compel renovation in

	<p>accordance with s194 of the Building Act;</p> <p>V. On the owner or occupier of an uncompleted building, in accordance with s195 of the Building Act.</p> <p>3. Permits:</p> <p>I. Approve or refuse a Building Permit [s20];</p> <p>II. Approve or refuse a Demolition Permit [s21]</p> <p>III. Impose, vary or revoke conditions on a building or demolition permit [s27]</p> <p>IV. Extend the time during which a building or demolition permit has effect [s32(3), r24]</p> <p>V. Approve, modify or refuse to approve applications for Granting of an Occupancy Permit and Building Approval Certificate [s58].</p> <p>VI. Approve, modify or refuse to approve applications for an <i>extension of period of duration</i> for a Occupancy Permit and Building Approval Certificate [s65]</p> <p>4. The authority to issue or revoke building orders under section 110 and 117 of the Building Act 2011.</p>
--	---

Conditions.

1. Authorisation (1): Authorised Persons:
 - I. Subject to person being employed by the authorising Local Government under s 5.36 of the LGA 1995, or appointed under contract or other agreement to the Shire of Mingenew.
 - II. Appointed authorised person must hold a current authority card.
 - III. An authorised person, shall on demand by the builder, owner or person apparently in charge thereof, produce his authority to so enter to the person demanding it.
2. Authorisation (2): Serve Notices
 - I. A notice under subsection (3)(III) must inform the person of the person's right of review under section 119.
3. Authorisation (3): Permits are subject to:
 - I. The provisions of the Building Act 2011 and Building Regulations 2012;
 - II. Outbuildings not exceeding 75m² in area or 3m in height.
 - III. Applicant being advised of objection and/or appeal rights.
4. In undertaking the functions of these delegations, Building Surveyors must:
 - I. Be employed by the Shire in accordance with s5.36 of the Local Government Act 1995 or appointed under contract or other agreement to the Shire of Mingenew.
 - II. Hold the appropriate qualifications as set out under r.6 of the Building Services (Registration) Regulations 2011.
5. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
---------------	--	------------	--

Compliance Links:	<p><u>Building Act 2011</u></p> <ol style="list-style-type: none"> 1. Section 17- Uncertified application to be considered by building surveyor 2. Section 23- Time for deciding application for building or demolition permit 3. Section 119- Building and demolition permits- application review by SAT 4. Section 59- Time for granting occupancy permit or building approval certificate 5. Section 60--. Notice of decision not to grant occupancy permit or grant building approval certificate <p><u>Building Regulations 2012</u></p> <p><u>Building Code of Australia</u></p>
-------------------	---

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Delegations under the Bush Fire Act 1954		
Authorisation No.:	CD13		
Authorisation from:	Council	Authorised to:	Chief Executive Officer Chief Bush Fire Control Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	Bush Fires Act 1954 Section 17(10) - Prohibited burning times Section 48 - Delegation by local governments Section 59(3) - Prosecution of offences
-------------------------------------	---

Statutory Power delegated:	Bush Fires Act 1954 Section 17(7) and (8)- Prohibited burning times may be declared by Minister Section 27(3)- Prohibition on use of tractors or engines except under certain conditions Section 33- Local government may require occupier of land to plough or clear fire-break Section 36- Local government may expend moneys in connection with control and extinguishment of bush fires Section 38 - Local government may appoint bush fire control officer Section 59(3) - Prosecution of offences Section 59A(2) Alternative procedure – Infringement notices
-----------------------------------	--

Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Vary the prohibited burning times in respect of that year in the district or a part of the district and give notice of the variation to any local government whose district adjoins that district [s17(7), s17(8)] 2. Give notice in writing to an owner/occupier of land to plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks [s33(1)] 3. At the request and expense of the landowner or occupier, authorise any such works for the removal or abatement of a fire danger [s33(6)] 4. Purchase and maintain appliances, equipment, and apparatus for the prevention, control and extinguishment of bush fires [36(a)] 5. Clear a street, road or reserve vested in the local government of bush and other inflammable material for the purpose of preventing the occurrence or spread of a bushfire [s36(b)] 6. Establish and maintain bush fire brigades as a part of its organisation for the prevention, control, and extinguishment of bush fires [s36(d)] 7. Appoint bush fire control officers under and for the purposes of the Bush Fire Act 1954 and cause notice [s38(1) and s38(2)]. 3. Issue authorised bush fire control officers with a certificate of appointment [s38(2E)] 4. Prohibit the operation in its district of any vehicles and/or equipment. 5. Issue infringement notices and instigate proceedings in the name of the local government against any person alleged to have committed an offence against this Act within the district [s59 and 59A].
--	--

Conditions.

1. The Chief Bush Fire Control Officer is delegated the below points only-
 - a) Section 17(7)(8) is delegated to the President and the Chief Bush Fire Control Officer *jointly* and is subject to the provisions of section 17 of the Bush Fire Act 1954 (as per s17[10]).
 - b) Section 27 is delegated to the Chief Bush Fire Officer and subject to local public notice in accordance with s27(3)
2. The CEO is delegated all provisions listed within the delegation with the exception of s17.
3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.

--

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
---------------	--	------------	--

Compliance Links:	<i>Bush Fires Act 1954</i> s 23(2)(a)- Burning during prohibited burning times- notice s38(2)- Local government may appoint bush fire control officer- Notice s38(2E)- Local government may appoint bush fire control officer- Certificate <i>Bush Fires Regulations 1954</i> <i>Bush Fires (Infringement) Regulations 1978</i>
--------------------------	--

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Powers and Duties under Local Planning Scheme No. 3		
Authorisation No.:	CD14		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Clause 82- Delegations by local government Clause 11.3.1- Shire of Mingenew Local Planning Scheme No. 3
Statutory Power delegated:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Clause 64(3)- Advertising of Applications Clause 66- Consultation with Other Authorities Clause 79(1)- Entry and Inspection Powers Shire of Mingenew Local Planning Scheme No. 3 Clause 9.4.3- Advertising of Applications Clause 10.1- Consultation with Other Authorities Clause 11.1.2- Powers of the Local Government
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Authority to: <ol style="list-style-type: none"> 1. Designate an officer of the local government as an authorised officer for the purposes of (cl11.1.2) 2. Give notice of an application for planning approval (cl9.4.3) 3. Consult with other authorities on behalf of the Local Government (c10.1)
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
---------------	--	------------	--

Compliance Links:	
-------------------	--

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Authorised Persons- Public Health Act 2016		
Authorisation No.:	CD15		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Public Health Act 2016</i> Section 21- Enforcement agency may delegate
Statutory Power delegated:	<i>Public Health Act 2016</i> Section 24 - Designation of authorised officers
Function Delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<ol style="list-style-type: none"> 1. Designate environmental health officers (either as a person or as a class of persons) to be authorised officers for the purposes of the Public Health Act 2016 or another specified Act [s24] 2. Designate a qualified person (either as a person or as a class of persons) who is not an environmental health officer to be an authorised officer for the purposes of the Public Health Act 2016 or another specified Act [s24]
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. The appointer of authorised officers who are not environmental health officers must be satisfied they are suitably qualified for the powers and duties they are authorised for and have regard to any guidelines issues by the Department under s 29(1) 2. Certificates of authority must be issued in accordance with section 30 the Public Health Act 2016. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
---------------	--	------------	--

Compliance Links:	<p><i>Public Health Act 2016:</i> Section 30- Certificates of authority Section 18- Chief Health Officer to approve qualifications and experience Delegated Authority Register 2017/18 93 required by environmental health officers Section 25- Certain authorised officers required to have qualifications and experience Section 29- Chief Health Officer may issue guidelines about qualifications and experience of authorised officers Section 27- Lists of authorised officers to be maintained.</p>
-------------------	---

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Food Act 2008		
Authorisation No.:	CD16		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<p><i>Food Act 2008</i></p> <p>Section 118(2)(b)- Local government (enforcement agency) may delegate a function conferred on it</p> <p>Section 118(3)- Delegation subject to conditions [s119] and guidelines adopted [s120]</p> <p>Section 118(4)- Sub-delegation only permissible if expressly provided in regulations.</p>
-------------------------------------	---

Statutory Power delegated:	<p><i>Food Act 2008</i></p> <p>Section 65(1)- Prohibition Order</p> <p>Section 66- Certificate of Clearance</p> <p>Section 67(4)- Request for Re-Inspection</p> <p>Section.110- Registration of food business</p> <p>Section.112- Variation of conditions or cancellation of registration of food businesses.</p> <p>Section 122(1)- Appointment of authorised officers</p> <p>Section 123- Certificates of authority</p> <p>Section 126(2) - Infringement notices - designated officers</p>
-----------------------------------	--

<p>Function Delegated:</p> <p>This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].</p>	<ol style="list-style-type: none"> 1. Appoint authorised persons to exercise the Powers and duties set out in respect to the Food Act 2008 [122(1)]. 2. Provide each authorised officer appointed by the Shire with a certificate of authority as an authorised officer [s123] 3. Appoint a person to be a Designated Officer for the purposes of the Food Act 2008. [s126(13)] for either issuing infringements or extending, withdrawing or accepting payment for infringements. 4. Serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the Food Act 2008 [s65]. 5. Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices [s66]. 6. Give written notice to proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection [s67(4)]. 7. Applications for registration of a food business in respect of any premises for the purposes of Part 9 of the Food Act 2008 and issue a certificate of registration [s110(1)]. 8. After considering an application, to grant (with or without conditions) or refuse the application [s110(5)]. 9. To vary the conditions or cancel the registration of a food business in respect of any premises under Part 9 of the Food Act 2008 [s112(1)].
---	--

<p>Conditions.</p> <ol style="list-style-type: none"> 1. Certificates of authority must be issued in accordance with section 123 of the Food Act 2008 2. Infringement notices must be issued in accordance with section 126 of the Food Act 2008 3. Appointment of authorised Officers is to be subject to s126(13) of the Food Act 2008. 4. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.
--

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
---------------	--	------------	--

Compliance Links:	<p><u>Food Act 2008</u> Section 122(3) required the Enforcement Agency to maintain a list of authorised officers appointed by the agency. Section 123(1) requires the Enforcement Agency to provide each authorised officer with a certificate of authority as an authorised officer.</p> <p><u>Food Regulations 2009</u> Dept of Health: Guideline on the Appointment of Authorised Officers as Meat Inspectors Dept of Health: Guideline on the Appointment of Authorised Officers Dept of Health: Guideline on the Appointment of Authorised Officers - Designated Officers only (section 126) Dept of Health: Guideline on the Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an authorised officer Department of Health: Food Act 2008 Regulatory Guideline No.1: Introduction of Regulatory Food Safety Auditing in WA Department of Health: Food Unit Fact Sheet 8: Guide to Regulatory Guideline No.1 Department of Health: WA Priority Classification System Department of Health: Food Act 2008 Verification of Food Safety Program Guideline</p>
-------------------	--

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Authorised Persons- Caravan Parks and Camping Grounds Act 1995		
Authorisation No.:	CD17		
Authorisation from:	Council	Authorised to:	Chief Executive Officer Environmental Health Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Caravan Parks and Camping Grounds Act 1995</i> Section 17(1) - Appointment of authorised person <i>Caravan Parks and Camping Grounds Regulations 1997</i> Regulation 6 - Local government
Statutory Power delegated:	<i>Caravan Parks and Camping Grounds Act 1995</i> Section 17(1) - Appointment of authorised person
Function Delegated:	1. Undertake the powers of an 'authorised person' as prescribed in the Caravan Parks and Camping Grounds Act 1995 and the Caravan Parks and Camping Grounds Regulations 1997
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. Subject to each person appointed under 17(1) with an identity card, in the prescribed form, certifying that the person is an authorised person under this Act. 2. Within section 23 the Environmental Health Officer is delegated s23(2) only as per s23(11) of the Caravan Parks and Camping Grounds Act 1995. 3. The delegation to the CEO excludes s23(2) as per s23(11) of the Caravan Parks and Camping Grounds Act 1995 4. Subject to Division 3 of the Caravan Parks and Camping Grounds Act 1995. 	

CROSS REFERENCES (If any):

Business Operation Procedure No.		Policy No.:	
----------------------------------	--	-------------	--

Compliance Links:	Caravan Parks and Camping Grounds Act 1995 Caravan Parks and Camping Grounds Regulations 1997
-------------------	--

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Dog Act 1976		
Authorisation No.:	CD18		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Dog Act 1976</i> Section 10AA(1)- Delegation of local government powers and duties
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<i>Dog Act 1976</i> Section 10AA (3)- Delegation of local government powers and duties Section 10A- Payments to veterinary surgeons towards cost of sterilisation Section 1- Staff and services Section 15 (4A)- Registration periods and fees Section 16- Registration procedure Section 16AA- Owner's delegate Section 17- Refusal or cancellation of registration Section 19- Refund of fee on cancellation Section 26- Limitation as to numbers Section 29- Power to seize dogs Section 33E. Individual dog may be declared to be dangerous dog (declared) Section 44- Enforcement proceedings
Function Delegated:	<ol style="list-style-type: none"> 1. The registration of dogs (s15-19) 2. The management of dogs (s26, s29) 3. Appoint authorised officers for the purposes of the Dog Act 2011 (s29[1]) 4. Commence enforcement proceedings (s44) 5. The authority to sub-delegate (10AA(3))
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. Authorised officers are issued with a certificate of authority. 2. Powers to be used in accordance with the provisions of the Dog Act 1976. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
Compliance Links:			

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Cat Act 2011		
Authorisation No.:	CD19		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Cat Act 2011</i> Section 44- Delegation by local government
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	<i>Cat Act 2011</i> Section 9- Registration Section 10- Cancellation of registration Section 11. Registration numbers, certificates and tags Section 12. Register of cats Section 13- Notice to be given of certain decisions made under this Subdivision Section 26- Cat control notice may be given to cat owner Section 27. Cats may be seized Section 34. Dealing with unidentified and unclaimed cats Section 37- Approval to breed cats Section 38- Cancellation of approval to breed cats Section 40- Notice to be given of certain decisions made under this Subdivision Section 48- Authorised persons
Function Delegated:	<ol style="list-style-type: none"> 1. The registration of cats (s10-13) 2. The Management of cats (s26-40) 3. Appoint authorised officers for the purposes of the Cat Act 2011 (s48)
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. Authorised officers are issued with a certificate of authority. 2. Subject to the provisions off the Cat Act 2011 and its associated regulations. 3. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
----------------------	--	-------------------	--

Compliance Links:	Cat Act 2011 Part 3 Division 4 Breeding of Cats
--------------------------	--

SHIRE OF MINGENEW - COUNCIL DELEGATION

Title:	Road Traffic Code 2000		
Authorisation No.:	CD21		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	<i>Road Traffic Code 2012 Regulation 297(2)</i>		
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	See the attached Instrument of Authorisation from the Commissioner of Main Roads.		
Function Delegated:			
<p><u>Conditions.</u></p> <ol style="list-style-type: none"> 1. Subject to the reporting of the exercise of this delegation to the Concept Forum each month. 			

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
----------------------	--	-------------------	--

Compliance Links:	
--------------------------	--

SHIRE OF MINGENEW - COUNCIL AUTHORISATION

Title:	Road Traffic (Vehicles) Act 2012		
Authorisation No.:	CD21		
Authorisation from:	Council	Authorised to:	Chief Executive Officer
Date Adopted:		Date Last Reviewed:	May 2017

Statutory power to delegate:	Road Traffic (Vehicles) Act 2012
Statutory Power delegated: This detail is provided as a reference only. Delegates shall only act in full understanding of the delegated legislative power, inclusive of conditions [refer below].	Not a delegation but a Council Authorisation.
Function Delegated:	1. To provide commentary on behalf of the Local Government to Main Roads on the suitability of issuing an extra mass permit.
<u>Conditions.</u> 2. Subject to the reporting of the exercise of this delegation to the Concept Forum each month.	

CROSS REFERENCES (If any):

Procedure No.		Policy No.	
----------------------	--	-------------------	--

Compliance Links:	
--------------------------	--

PART 2

Delegations from the Chief Executive Officer
